

NOTICE OF PUBLIC HEARING

The Madison County Board of Supervisors and the Madison County Planning Commission will hold a joint public hearing on May 1, 2019, at 7:00 p.m., or as soon thereafter as hearings for the regular agenda are complete, in the auditorium of the Madison County Administration Center, 414 North Main Street, Madison, Virginia, to receive public comment and consider adoption of an Ordinance to Amend the Madison County Zoning Ordinance that would, if adopted:

1. Add Section 4-2-24 to add “Rural Resort” to the list of special use permit uses in the Agricultural District A-1;
2. Add definitions for “Agritourism,” “Cabin,” “Glamping,” “Music or Entertainment Festival,” “Resort Store,” “Rural Resort,” and “Transient Guest” to Article 20.
3. Add Article 14-18 to establish policy, procedures, and requirements that would apply to Rural Resort Special Use Permit applications.

The public is invited to attend the joint public hearing and comment on the aforesaid Ordinance. Copies of the proposed Ordinance are on file in the offices of the Madison County Board of Supervisors, 302 Thrift Road, Madison, Virginia 22727 and the Madison County Zoning Administrator, 414 North Main Street, Madison, Virginia 22727, where they may be inspected on Monday – Friday, 8:30 a.m. to 4:30 p.m.

Sean D. Gregg
Madison County Attorney

PUBLISH: Thursday, April 11, 2019
 Thursday, April 18, 2019
 Thursday, April 25, 2019

March 8, 2019 DRAFT

ORDINANCE TO AMEND THE MADISON COUNTY

ZONING ORDINANCE

ORDINANCE # 2019 – XXX

WHEREAS, THE Board of Supervisors of Madison County, Virginia, finds that the following amendment to the Zoning Ordinance of Madison County, Virginia, would promote the health, safety and general welfare of Madison County, Virginia, and be in accord with the declarations of legislative intent set forth in Virginia Code Section 15.2-2200 (1950, as amended) and the Madison County Comprehensive Plan adopted on February 7, 2018.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Madison County, Virginia that the Zoning Ordinance of Madison County, Virginia, be, and it hereby is, amended as follows:

1. Article 4, Agricultural, A-1 Special Permit Uses, Add Article 4-2-24, as follows:

4-2-24 Rural Resort

2. Article 20, Definitions, Amend or add Article 20-6A, 20-30A, 20-87A, 20-122A, 20-158A, 20-162A and 20-198A as follows:

20-6A Agritourism: Agritourism activity means any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, wineries, ranching, historical,

cultural, harvest-your-own activities, or natural activities or attractions. An activity is an agritourism activity whether or not the participants paid to participate in the activity. (See Virginia State Code 3.2-6400.)

- 20-30A Cabin: A single, permanent detached dwelling, which may or may not contain cooking facilities, dedicated to transient guests.
- 20-87A Glamping: The activity of camping with amenities and comforts (such as beds, electricity, indoor plumbing) not usually used when camping.
- 20-122A Music or Entertainment Festival: For the purpose of this ordinance, the term “musical or entertainment festivals” shall mean any gathering of individuals, open to the public , with or without admission charge, for the purpose of listening to or, participating in entertainment which consist primarily of musical renditions conducted in open spaces not within an enclosed structure.
- 20-158A Resort Store: A place of business owned and operated by the rural resort owner/ownership entity where merchandise such as gifts, apparel, produce, crafts, general convenience items, farm produced products, and outdoor recreational equipment is sold.
- 20-162A Rural Resort: A destination designed to provide recreation, entertainment, and accommodations to transient guests.
- 20-198A Transient guest: Transient guests are those individual who pay for lodging not to exceed 60 consecutive days.

3. Article 14, General Provisions, Add Article 14-18, 14-18.1, 14-18.2, 14-18.3 and, 4-18.4

14-18 Rural Resort

14-18.1 Purpose and intent

The purpose of this ordinance is to provide standards and review procedures for the development and operations of rural resorts and to require a special use permit for the same. Any development will require adherence to the Madison County Ordinances and the Code of Virginia.

Given the potential impact on the health, safety and welfare of neighboring property owners, as well as the patrons of these facilities, the Madison County Board of Supervisors find that it is in the public interest to regulate the establishment and operation of rural resorts within Madison County.

14-18.2 Structures and Activities to be allowed:

The activities that will be permitted at a given rural resort will be determined by the Board of Supervisors in consultation with the County planning staff, the Planning Commission, and the special use permit applicant, and will be a function of the circumstances of a particular proposed rural resort, including, without limitation: the overall acreage of the proposed resort; the existing and anticipated uses of surrounding properties, existing and proposed facilities, and location within the County.

At the discretion of the Board of Supervisors, such permissible activities and facilities at a particular proposed rural resort may include, without limitation: conferences, wedding hosting, and retreat facilities; educational and entertainment facilities, dining and picnicking facilities; camping and glamping facilities; resort store; indoor and outdoor athletic and physical fitness facilities; hiking, cycling, fishing, canoeing, rafting, tubing, wildlife observation shelters, boat landing/docks, and equestrian trails and facilities; administrative, utility service, laundry and construction facilities, and staff living quarters.

Outdoor Music or entertainment events that are open to the public are subject to the requirements of the Madison County Music and Entertainment Ordinance (5/9/1978, amended 10/12/82). The Music and Entertainment ordinance does not apply to private events such as weddings or conferences or any event without music.

14-18.3 Siting Requirements

The requirements for siting and construction of facilities on rural resorts in the County of Madison, Virginia shall include the following:

1. Area Regulations: The minimum lot area for rural resort use shall be 100 acres.
2. Open Space: A minimum of 50% percent of the site shall remain as open space. (See Article 20-133)
3. Building height: No new building shall exceed 48 feet (4 stories) in height from the grade to the highest roof beams or a flat roof, or the mean level of the highest gable or slope of a gable, hip, or other roof.
4. Lodging: All lodging, dining and other facilities for guests use must comply with local and State building codes and Health Department regulations.
5. Any special use permit application for constructing and operating a rural resort will be subject to Article 14-4-3.
6. Parking and Loading: Parking and loading at rural resorts will be subject to the requirements set forth in Article 14-9 and 14-10.
7. For any addition of land to the rural resort, the applicant must submit an application to amend its special use permit. No tract of land may be admitted to the resort except with the submission of detailed plans as required by this ordinance and/or other documents required by the County in order to enable it to

make a comprehensive study of the proposed development. No tract of land may be admitted to the resort unless the resort activities and facilities are a primary part of the overall plan development.

14-18.4 Application Requirements

1. An application for a rural resort special use permit shall include:
 - a. A thorough explanation of the scope and variety of buildings, land improvements and uses that would be installed on the property.
 - b. The anticipated installation timetable or phasing plan.
 - c. Appropriate concept maps showing lot lines, the location of existing and new land features and improvements and other pertinent information.
2. An applicant should be prepared to address the potential impact on adjacent properties in areas such as noise, lighting, traffic, storm water management, erosion and sediment control.
3. The specifics of any building, land improvements and uses approved under a special use permit for a rural resort shall be documented in the motion by the Board of Supervisors.

The foresaid amendment shall be effective upon enactment.

Enacted this _____ day of _____, 2019.

Madison County Board of Supervisors

BY: _____

R. Clay Jackson, Chair

	Aye	Nay	Abstain
R. Clay Jackson	_____	_____	_____
Jonathan Weakley	_____	_____	_____
Charlotte Hoffman	_____	_____	_____
Amber Foster	_____	_____	_____
Kevin McGhee	_____	_____	_____

Jack Hobbs, Madison County Administrator